

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 05/10/2006 has been considered by the examiner. The submission is in compliance with the provisions of 37 CFR 1.97.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 – 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 claims "longitudinal size ranges from 0.95 to 1.2 when lateral size is 1". The sizes of 0.95 to 1.2 and 1 are unclear because the limitation does not set forth clearly the units being used to clarify how the measurements are made. Similarly, claim 3 claims "longitudinal size is set to be approximately 1.1 when lateral size is 1". The sizes of 1.1 and 1 are unclear because the limitation does not set forth clearly the units being used to clarify how the measurements are made. Note: after an examination of the specification as a whole

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there were no discussion of the units of sizes, hence applicant is advised to clearly point to the specification in next reply to avoid new matter issues.

Furthermore, claim 2 is vague and indefinite because claim 2 claims that the "longitudinal size ranges from 0.95 to 1.2 when lateral size is 1". It is unclear to the examiner if the longitudinal size is the whole range 0.95 to 1.2 when the lateral size is 1 (applicant is kindly asked to explain, using the specification as filed, how this is possible if this is true) or if the longitudinal size is only a single number (e.g. 1.1) between the range of 0.95 to 1.2 when the lateral size is 1. Clarification without introduction of new matter is required.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required

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feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 2 recites the broad recitation longitudinal size ranges from 0.95 to 1.2, and claim 3 recites longitudinal size is set to be approximately 1.1 which is the narrower statement of the range/limitation.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 5 - 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. (US PgPub No. 2003/0090570) in view of Nakajima et al. (US Patent No. 6,559,794).

Regarding **claim 1**, Takagi et al. teaches in-vehicle display device mounted on a front panel in the vehicle interior of a vehicle (figure 1 item 40), said in-vehicle display device comprising:

a display panel unit provided with a display unit which performs image display of the display panel unit and is set to be substantially square seen from the front (figure 1 item 40).

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However, Takagi et al. fails to teach wherein the display panel is a dot matrix type display panel unit. Nakajima et al., on the other hand teaches a display panel is a dot matrix type display panel unit.

More specifically, Nakajima et al. teaches a display panel is a dot matrix type display panel unit (figure 4 – 5; and column 5 lines 29 - 37).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Nakajima et al. with the teachings of Takagi et al. because using the dot matrix display panel, overall cost of the system can be reduced while also lowering power consumption.

Regarding **claim 5**, as mentioned above in the discussion of claim 1 Takagi et al. in view of Nakajima et al. teach all of the limitations of the parent claim. Additionally, Takagi et al. teaches vehicle surroundings monitor for displaying a captured image of the surroundings of a vehicle in the vehicle interior (figures 2A – 2B and 5A – 5B), said vehicle surroundings monitor comprising:

an in-vehicle camera which captures the surroundings of the vehicle (figures 2A – 2B and 5A – 5B); and an in-vehicle display device as set forth in claim 1 (please see discussion of claim 1 above), which is mounted in the vehicle interior and displays an image captured by said in-vehicle camera (figure 1 item 40).

Regarding **claim 6**, as mentioned above in the discussion of claim 5 Takagi et al. in view of Nakajima et al. teach all of the limitations of the parent claim. Additionally,

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Takagi et al. teaches wherein said in-vehicle camera captures a region opposed to the vehicle side in the surroundings of the vehicle (figures 2A – 2B and 5A – 5B).

Regarding **claim 7**, as mentioned above in the discussion of claim 5 Takagi et al. in view of Nakajima et al. teach all of the limitations of the parent claim. Additionally, Takagi et al. teaches wherein said in-vehicle camera captures a region of the vehicle backward in the surroundings of the vehicle (figures 2A – 2B and 5A – 5B; more specifically figure 2A; back camera).

5. Claims 2 - 3 are rejected (as best understood by the examiner in view of the 112 rejection above) under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. (US PgPub No. 2003/0090570) in view of Nakajima et al. (US Patent No. 6,559,794).

Regarding **claim 2**, as mentioned above in the discussion of claim 1 Takagi et al. in view of Nakajima et al. teach all of the limitations of the parent claim.

However, Takagi et al. in view of Nakajima et al. fail to teach wherein said display unit of said display panel unit is set so that longitudinal size ranges from 0.95 to 1.2 when lateral size is 1.

Although, Takagi et al. in view of Nakajima et al. do not explicitly mention wherein said display unit of said display panel unit is set so that longitudinal size ranges from 0.95 to 1.2 when lateral size is 1, Takagi et al. in figure 1 item 40, figures 5A, and 5B does teach the concept of a display having a longitudinal size and a lateral size. Therefore, it would have been an obvious to one having ordinary skill in the art at the

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time the invention was made to design the display with a longitudinal size and a lateral size of any desired amount e.g. with a longitudinal size ranges from 0.95 to 1.2 when lateral size is 1 since a person of ordinary skill has a good reason to pursue the known options within his or her technical grasp, if this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense and would lead to a desirable display size for ease of use and ease of visibility also for comfortable handling without causing an increase in operational burden or a reduction in visibility to the driver as taught in paragraph 0009 of Takagi et al. Furthermore, determining the optimal value of a result effective variable would have been obvious and ordinarily within the skill of the art. **In re Boesch**, 617 F.2d 272, 276, 205 USPQ 215, 219 (CCPA 1980). It has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or working ranges involves only routine skill in the art. **In re Aller**, 105 USPQ 233.

Regarding **claim 3**, as mentioned above in the discussion of claim 1 Takagi et al. in view of Nakajima et al. teach all of the limitations of the parent claim.

However, Takagi et al. in view of Nakajima et al. fail to teach wherein said display unit of said display panel unit is set so that longitudinal size is set to be approximately 1.1 when lateral size is 1.

Although, Takagi et al. in view of Nakajima et al. do not explicitly mention wherein said display unit of said display panel unit is set so that longitudinal size is set to be approximately 1.1 when lateral size is 1, Takagi et al. in figure 1 item 40, figures

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5A, and 5B does teach the concept of a display having a longitudinal size and a lateral size. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to design the display with a longitudinal size and a lateral size of any desired amount e.g. with a longitudinal size is set to be approximately 1.1 when lateral size is 1 since a person of ordinary skill has a good reason to pursue the known options within his or her technical grasp, if this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense and would lead to a desirable display size for ease of use and ease of visibility also for comfortable handling without causing an increase in operational burden or a reduction in visibility to the driver as taught in paragraph 0009 of Takagi et al. Furthermore, determining the optimal value of a result effective variable would have been obvious and ordinarily within the skill of the art. **In re Boesch**, 617 F.2d 272, 276, 205 USPQ 215, 219 (CCPA 1980). It has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or working ranges involves only routine skill in the art. **In re Aller**, 105 USPQ 233.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. (US PgPub No. 2003/0090570) in view of Nakajima et al. (US Patent No. 6,559,794) and further in view of Ogino et al. (US Patent No. 6,539,289).

Regarding **claim 4**, as mentioned above in the discussion of claim 1 Takagi et al. in view of Nakajima et al. teach all of the limitations of the parent claim. Additionally, Takagi et al. teaches the display which displays on the basis of an image signal which

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make input from an in-vehicle camera for imaging the surroundings of the vehicle, an image corresponding to the image signal on said display device body (figures 2A – 2B and 5A – 5B).

However, Takagi et al. in view of Nakajima et al. fail to teach a control unit which switches at least any one piece of information of information on air conditioner operation, information for vehicle control, and clock information and displays on said display panel unit, and said control unit switchably includes a first mode which switches at least any one piece of said information and displays on said display panel unit; and a second mode which displays. Ogino et al., on the other hand teaches a control unit which switches at least any one piece of information of information on air conditioner operation, information for vehicle control, and clock information and displays on said display panel unit, and said control unit switchably includes a first mode which switches at least any one piece of said information and displays on said display panel unit; and a second mode which displays.

More specifically, Ogino et al. teaches a control unit which switches **at least any one** piece of information of information on air conditioner operation, information for vehicle control, and clock information and displays on said display panel unit (figure 1 and figures 3 – 10; switching display information), and said control unit switchably includes a first mode which switches at least any one piece of said information and displays on said display panel unit (figure 1 and figures 3 – 10; switching display information); and a second mode which displays (figure 1 and figures 3 – 10; switching display information).



One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Nakajima et al. with the teachings of Takagi et al. because using the dot matrix display panel, overall cost of the system can be reduced while also lowering power consumption.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okonkwo (US PgPub No. 2002/0158448) teaches a car with interior setting arrangement with display.

Tanaka et al. (US PgPub No. 2003/0058337) teaches car parking assist display.

Shimizu et al. (US PgPub No. 2002/0041239) teaches car parking assist display.

Berberich et al. (US patent No. 6,819,231) teaches car parking assist display.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to USMAN KHAN whose telephone number is (571)270-1131. The examiner can normally be reached on Mon-Fri 6:45-3:15.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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